

Regular Session, 2012

SENATE BILL NO. 393

BY SENATOR MURRAY

CIVIL PROCEDURE. Provides relative to eviction proceedings and motions for new trial.
(gov sig)

AN ACT

To amend and reenact Code of Civil Procedure Articles 4732 and 4735, relative to eviction of tenants and occupants; to provide relative to a motion for a new trial; to provide certain procedures, time periods, and effects; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Code of Civil Procedure Articles 4732 and 4735 are hereby amended and reenacted to read as follows:

Art. 4732. Trial of rule; judgment of eviction

A. The court shall make the rule returnable not earlier than the third day after service thereof, at which time the court shall try the rule and hear any defense which is made.

B. If the court finds the lessor or owner entitled to the relief sought, or if the lessee or occupant fails to answer or to appear at the trial, the court shall render immediately a judgment of eviction ordering the lessee or occupant to deliver possession of the premises to the lessor or owner. The judgment of eviction shall be effective for not less than ninety days.

C. A party may make a written request or motion for a new trial on any

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not by the governor, upon expiration of the time for bills to become law without signature governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If by the governor and subsequently approved by the legislature, this Act shall become ve on the day following such approval.

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.